



#13 D.J. 1-11-04
IDSW/Refer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Stephen Ian MANN

Appl. No. 10/089,517
(U.S. National Phase of PCT/NZ00/00189,
I.A. filed September 29, 2000)

Filed: § 371 Date April 2, 2003

For: **Improvements Relating to EER
Transmitters**

Confirmation No. 7824

Art Unit: 3662

Examiner: *To Be Assigned*

Atty. Docket: 2068.0030000

Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

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Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application

does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. Attached is our PTO-2038 Credit Card Payment Form [OR] Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our Check No. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
 - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- 5. The documents were cited in search reports by foreign patent offices in counterpart and related foreign applications. Copies of the search reports are enclosed as documents AT1, AR2 and AS2 on the attached PTO-1449 Form. Also

cited in said search reports were Document Nos. EP 0 360 178 A and WO 99/05783, which have already been cited in the present application in the Information Disclosure Statement of April 22, 2003.

- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐ 7. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Donald J. Featherstone
Attorney for Applicant
Registration No. 33,876

Date: 7/3/03

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SKGF Rev. 12/1802 mac; Rev. 04/18/03 svb



FORM PTO-1449

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
2068.0030000APPLICATION NO.
10/089,517APPLICANT
Stephen Ian MANN§ 371 DATE
April 2, 2003GROUP
3662

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1	5,381,108	01/1995	Whitmarsh <i>et al.</i>			
	AB1	5,420,536	05/1995	Faulkner <i>et al.</i>			
	AC1						
	AD1						
	AE1						
	AF1						
	AG1						
	AH1						
	AI1						
	AJ1						
	AK1						

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL1	2 283 629 A	05/1995	United Kingdom	H03F	1/32	Yes No
	AM1	WO 96/15596	05/1996	PCT	H04B	1/52	Yes No
	AN1	WO 99/14859	03/1999	PCT	H03L	7/197	Yes No
	AO1						Yes No
	AP1						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	1	Dúcar, P.G. <i>et al.</i> , "Digital Cartesian Loop Transmitter," <i>University of Zaragoza - Electronics Engineering and Communications Dept.</i> , IST Mobile Communication Summit 2001, Barcelona Spain, September 9-12, 2001, 6 pages.
	AS	1	Muhonen, K. and Kavehrad, Dr. M., "Amplifier Linearization for the Local Multipoint Distribution System Application," <i>The Pennsylvania State University Department of Electrical Engineering</i> , IEEE Personal Mobile, Indoor, and Radio Communication Conference, Boston, MA, September 1998, IEEE, pages 687-692.
	AT	1	Copy of International Search Report for Appln. No. PCT/NZ02/00023, issued April 15, 2002, 3 pages.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



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	AA2						
	AB2						
	AC2						
	AD2						
	AE2						
	AF2						
	AG2						
	AH2						
	AI2						
	AJ2						
	AK2						

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL2						Yes No
	AM2						Yes No
	AN2						Yes No
	AO2						Yes No
	AP2						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	2	Copy of Supplementary European Search Report for Appln. No. EP 00 97 0330, February 21, 2003 (date of completion of search), 3 pages.
	AS	2	Copy of Supplementary Partial European Search Report for Appln. No. EP 00 97 0330, November 15, 2002 (date of completion of search), 4 pages.
	AT	2	

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